

Message Text

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47

ACTION EB-07

INFO OCT-01 ARA-06 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /038 W

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P R 051517Z NOV 75

FM AMEMBASSY LONDON

TO SECSTATE WASHDC PRIORITY 6205

INFO AMEMBASSY DUBLIN

AMEMBASSY BERN

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY MADRID

AMEMBASSY VIENNA

AMCONSUL RIO DE JANEIRO

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RIO FOR STYLES, US CIVAIR DEL

E.O. N/A

TAGS: EAIR

SUBJ: CIVAIR - US/IRELAND CHARTER NEGOTIATIONS

1. US/IRELAND CHARTER NEGOTIATIONS CONCLUDED AFTER TWO DAYS WITHOUT REACHING AGREEMENT ON TEXT OF A CHARTER UNDERSTANDING. STICKING POINT REACHED ON QUESTION OF TGC SUBSTITUTIONS (WITH IRISH HOLDING OUT FOR 5 PERCENT MAXIMUM) AND COMMINGLING WHERE IRISH WANTED CONFINE COMMINGLING POSSIBILITIES TO OTCS AND LIMIT IT IN THIS CONTEXT TO TWO OTHER CHARTER CATEGORIES. OTHER PROVISIONS OF A ONE-YEAR CHARTER AGREEMENT WERE CONDITIONALLY AGREED GENERALLY ALONG THE LINES OF SWISS ARRANGEMENT BUT WITHOUT TRAFFIC RIGHTS PARAGRAPH (NOT DISCUSSED AND WITH PRICING CONCERNS DEALT WITH THROUGH A CONSULTATION CLAUSE SIMILAR TO THAT IN PRESENT US/IRELAND MOU

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WHICH PROVIDEQ FOR PRIOR CONSULTATIONS BEFORE ANY

UNILATERAL ACTION. IT WAS CLEAR FROM DISCUSSIONS THAT IRISH DELEGATION UNWILLING TO AGREE TO FINAL ACTION ON DRAFT AGREEMENT UNTIL AFTER NOV. 18 ECAC MEETING WHICH HAS BEEN CALLED TO CONSIDER MODIFICATION OF CERTAIN PROVISIONS OF ECAC MOU WHICH NOW STAND IN THE WAY OF CONCLUDING BILATERALS WITH U.S. PROVISIONAL TEXT OF US/IRISH CHARTER AGREEMENT WILL BE HAND-CARRIED TO WASHINGTON WHEN USDEL RETURNS AT END OF WEEK.

2. AT CONCLUSION OF TALKS, USDEL RAISED "FIRST REFUSAL" PROBLEM, EXPRESSING SERIOUS CONCERN OF USG OVER THIS DISCRIMINATORY PRACTICE AND PUTTING IRISH AUTHORITIES ON NOTICE THAT UNLESS IRISH GOVERNMENT ABANDONED THIS POLICY OR IRISH FLAG CARRIER AGREED IT WOULD NOT EXERCISE SO-CALLED "RIGHT OF FIRST REFUSAL", US WOULD HAVE TO CONSIDER APPLYING FURTHER RESTRICTIVE MEASURES AGAINST CHARTER ACTIVITIES OF IRISH CARRIER. IRISH DEL TOOK NOTE OF US VIEWS BUT CLAIMED IT NOT IN A POSITION DURING THESE TALKS TO DISCUSS ISSUE IN DEPTH OTHER THAN TO ARGUE THAT "FIRST REFUSAL" POLICY DESIGNED TO PROTECT SCHEDULED SERVICE CARRIERS (INCLUDING, "FOR THE PRESENT", PANAM), AND IN THIS RESPECT NOT DISCRIMINATORY BETWEEN US AND IRISH SCHEDULED SERVICE CARRIERS, AND TO POINT OUT THAT ACCORDING TO GOI STATISTICS, US CARRIERS ALREADY HOLD 75 PERCENT OF US-IRELAND CHARTER MARKET.

RICHARDSON

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